

REMARKS

Summary of the Office Action

Claim 1 stands rejected under 35 U.S.C. §102(e) as being anticipated by Tuchitoy et al. (US 6,633,395).

Applicant wishes to thank the Examiner for indication that claims 3, 4, 8, 9, 11, 12, and 14-18 are allowed, and that claims 2, 5-7, 10, and 13 contain allowable subject matter.

Summary of Response to the Office Action

Applicant has amended claim 1 to further define the invention. Accordingly, claims 1-18 are pending for consideration.

All Claims Define Allowable Subject Matter

Claim 1 stands rejected under 35 U.S.C. §102(e) as being anticipated by Tuchitoy et al. Applicant respectfully traverses these rejections for at least the following reasons.

Independent claim 1, as amended, recites an image processing apparatus including, in part, “an analyzing part that predicts an image quality upon printing by analyzing a content of the page description language inputted by the input part.”

The Office Action alleges that Tuchitoy et al. discloses, in FIG. 1, an image processing apparatus that includes an analyzing part (i.e., PDL translator 155) that predicts an image upon printing by analyzing a content of the page description language inputted by an input part (col. 8, lines 50-57). Applicant respectfully disagrees.

In contrast to Applicant's claimed invention, Tuchitoy et al. teaches (col. 13, line 60 to col. 14, line 16) an image processing method that implements a PDL translator (i.e., PDL translator 155) for converting PDL input data into image data that is not utilized to predict image deterioration. Accordingly, the PDL translator 155 taught by Tuchitoy et al. is limited to convert PDL data into a drawing object only, and it does not investigate the content of inputted PDL data, as to whether or not the image deterioration occurs upon printing the instant converted image data. Furthermore, Tuchitoy et al. is completely silent about the analyzing part that is adapted to predict an image quality, as recited in amended independent claim 1.

MPEP §2131 instructs that "[t]o anticipate a claim, the reference must teach every element of the claim." Thus, "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987)." Accordingly, Applicant respectfully submits that since Tuchitoy et al. fails to teach or suggest every feature of at least amended independent claim 1, Tuchitoy et al. does not anticipate claim 1, and hence dependent claims 2, 5-7, 10, and 13. Thus, Applicant respectfully requests that the rejection of claim 1 in view of Tuchitoy et al. be withdrawn.


CONCLUSION

In view of the foregoing remarks, Applicant respectfully requests reconsideration of this application, withdrawal of all rejections, and the timely allowance of all pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicant's undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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